

<p>380</p> <p>1 attorney produced to us. So in other words, it's a 2 resume you gave to him, and he then produced to us, if 3 that helps you orient which one this is. You'll notice 4 that this resume at the top has Tyco Electronics on it 5 as a past -- or a present place of employment. That may 6 help you orient yourself as to when this resume was 7 created.</p> <p>8 Let me ask you what computer did you use to 9 create this resume?</p> <p>10 A This would have had to have been the Tyco computer. 11 Because at the time I provided this to my attorney, I 12 didn't own that laptop at that time or my Toshiba.</p> <p>13 Q So you did not print this out from a computer when you 14 produced it to your attorney?</p> <p>15 A No, I did not. I may have had it in one of my file 16 folders at work and I -- he asked for a resume. And I 17 grabbed a resume, and I provided it to him. I didn't 18 print it out.</p> <p>19 Q So we will not find a copy of this on your current 20 Toshiba laptop?</p> <p>21 MR. CAHILLANE: Objection. You're 22 obviously -- now you're asking him the contents of 23 what's on his present computer. That's definitely not 24 within the scope of the order.</p>	<p>381</p> <p>1 Q Now, this next one is a thick one. So it's Exhibit No. 2 15. Now, actually what I'd like to do with this one is 3 turn to a specific set of pages. The last time this 4 exhibit was used the court reporter numbered each of the 5 pages. You'll see that at the bottom. And if you can 6 turn to Page 44?</p> <p>7 A 15-44?</p> <p>8 Q That's right. And then look at 44, 45 and 46. Those 9 are the three pages.</p> <p>10 (Witness peruses the documents.)</p> <p>11 Q Which computers or computer did you use to create these 12 documents?</p> <p>13 MR. CAHILLANE: Objection. I'm going to 14 instruct him not to answer. This is just another 15 back-door way of trying to repeat the prior deposition 16 which he was extensively questioned about these 17 documents. This is not a question about what computers 18 did you own, have access to. It's a question about what 19 do you do on those computers, and did you do this or 20 that. Since we actually, it's clear from the prior 21 depositions, don't even know the origin of these 22 documents, the question additionally is a 23 when-did-you-stop-beating-your-wife-type question. But 24 the sole purpose of the deposition is to identify</p>
<p>382</p> <p>1 MS. MARTIN: Are you instructing him not to 2 answer?</p> <p>3 MR. CAHILLANE: On that I will.</p> <p>4 Q So let's go on to the next one. Now I'm going to show 5 you what's been marked before as Exhibit No. 9. Take 6 your time and take a look at it.</p> <p>7 (Witness peruses the document.)</p> <p>8 Q I'm going to represent to you that this is a document 9 that we received through your attorney during the last 10 round of depositions. On the front page it says, to 11 Leslie Locke from Jim Plasse, and then there's a note in 12 the corner that says, faxed 7/26/00. What computer, if 13 any, is this information stored on?</p> <p>14 A This would have had to have been back when I was at 15 Tubed Products.</p> <p>16 Q So what does that mean? What computer does this 17 document come from?</p> <p>18 A If I can recall, we had all Hewlett Packard I believe 19 computers. They're all desktops. So it would have been 20 on a desktop computer that I was -- had in my office 21 when I was working for Tubed Products.</p> <p>22 Q So on your -- again, you did not print this document out 23 from any computer that you currently own or use?</p> <p>24 A No, I did not.</p>	<p>383</p> <p>1 computers and media storage devices that Mr. Plasse had 2 control of and access to. And you can pick the relevant 3 time period. But it doesn't allow you to do anything 4 else. And we've had two days of deposition on these 5 documents.</p> <p>6 MS. MARTIN: We're very close to the end.</p> <p>7 Q This is all I'm asking, again, like with all of the 8 other documents, and this is the last set I'm asking, 9 which computers did you use to create these documents.</p> <p>10 MS. MARTIN: Now I think that's a perfectly 11 reasonable question as a way to identify which are the 12 relevant computers that need to be examined.</p> <p>13 MR. CAHILLANE: But the back-door question 14 here is whether or not he created this particular 15 document in the form that it's in. And there's really 16 no reason in terms of the Court's order for you to talk 17 about particular documents and their content. You can 18 ask him what computers he had control and access of 19 during the time period that these documents are dated.</p> <p>20 MR. CLEMENTS: I want to interject. We have 21 very serious disagreement about the scope of the order. 22 And why don't we take a break and go off the record and 23 decide what to do about it. Because this deposition is 24 not going to be completed, and we're going to end up</p>